

# EXHIBIT A

FUNCTION = INQUIRE

Case number : 17-C-1586

Action Log

DANIEL BUSH

vs. GREENWOOD, INC., .....

Line	Date	Action / Results
1	11/17/17	# CASE INFO SHEET; COMPLAINT; ISSUED SUM & 3 CPYS; F FEE; RCPT
2		# 556497; \$230.00
3	11/27/17	# LET FR SS DTD 11/21/17; SUM W/RET (11/21/17 SS) AS TO
4		# GREENWOOD INC
5	12/11/17	# SUM W/RET (11/28/17 SP) AS TO KENNY STEEN
6	12/11/17	# NOT OF BONA FIDE DEF OF KENNY STEEN W/COS

C=Chg D=Del 1-4=Scr M=Menu T=Chg Line# PgUp PgDn P=Prt A=Add I=Image

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

DANIEL BUSH,

Plaintiff,

v.

Civil Action No. 17-C-1586  
Bloom

GREENWOOD, INC., and  
KENNY STEEN, an individual,

Defendants.

**SUMMONS**

To the above-named Respondent: **KENNETH STEEN**  
c/o **GREENWOOD INC.**  
437 MacCorkle Avenue, S.W.  
South Charleston, WV 25309

IN THE NAME OF THE STATE OF WEST VIRGINIA, you are hereby summoned and required to serve upon Carbone & Blaydes, PLLC, Petitioner's attorney, whose address is 2442 Kanawha Blvd., E., Charleston, WV 25311, an answer, including any related counterclaim you may have, to the complaint filed against you in the above styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint and you will be thereafter barred for asserting in another action any claim you may have which must be asserted by counterclaim in the above styled action.

Dated: 11/17/17

**Cathy S. Gatson, Clerk**  
Clerk of Court

By:

Chugh  
Deputy Clerk

**CIVIL CASE INFORMATION STATEMENT  
CIVIL CASES**

In the Circuit Court of, Kanawha County, West Virginia

**FILED**  
*CPC*

2017 NOV 17 P 1:51

**CASE STYLE**

CATHY S. GATSON, CLERK  
KANAWHA COUNTY CIRCUIT COURT

**Plaintiff(s)**

**DANIEL BUSH**  
2799 Little Creek Road  
Leroy, WV 25252

Case # 17-C-1586  
Judge: Bloom

v.

**Defendant(s)**

Days to  
Answer

Type of Service

**GREENWOOD INC.**  
c/o Registered Agent Solutions, Inc.  
555 Poca River Road, North  
Poca, WV 25159

30

Corporate

**KENNY STEEN**, an individual,  
c/o GREENWOOD INC.  
437 MacCorkle Avenue, S.W.  
South Charleston, WV 25309

20

Original and \_\_\_\_\_ copies of complaint enclosed/attached.

<u>Plaintiffs:</u> Daniel Bush <u>Defendants:</u> Greenwood, Inc. & Kenneth Steen	Case Number:
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II. TYPE OF CASE:

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> General Civil                               | <input type="checkbox"/> Adoption                           |
| <input type="checkbox"/> Mass Litigation<br>(As defined in T.C.R. Rule XIX (c)) | <input type="checkbox"/> Administrative Agency Appeal       |
| <input type="checkbox"/> Asbestos   | <input type="checkbox"/> Civil Appeal from Magistrate Court |
| <input type="checkbox"/> Carpal Tunnel Syndrome                                 | <input type="checkbox"/> Miscellaneous Civil Petition       |
| <input type="checkbox"/> Diet Drugs   | <input type="checkbox"/> Industrial Hearing Loss            |
| <input type="checkbox"/> Environmental  | <input type="checkbox"/> Guardianship                       |
| <input type="checkbox"/> Mental Hygiene   | <input type="checkbox"/> Medical Malpractice                |
| <input type="checkbox"/> Silicone Implants                                      |   |
| <input type="checkbox"/> Other: _____   |   |
| <input type="checkbox"/> Habeas Corpus/Other Extraordinary Writ                 |   |
| <input type="checkbox"/> Other: _____   |   |

III. JURY DEMAND: ☒ YES ☐ NO

CASE WILL BE READY FOR TRIAL BY (MONTH/YEAR): 12/2018

DO YOU OR ANY OF YOUR CLIENTS OR WITNESSES IN THIS CASE REQUIRE SPECIAL ACCOMMODATIONS DUE TO A DISABILITY? ☐ YES ☒ NO

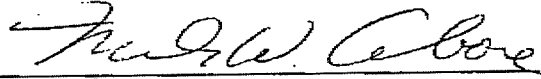
IF YES, PLEASE SPECIFY

- ☐ Wheelchair  
☐ Interpreter or other auxiliary aid for the hearing impaired  
☐ Reader or other auxiliary aid for the visually impaired  
☐ Spokesperson or other auxiliary aid for the speech impaired  
☐ Other: \_\_\_\_\_

Attorney Name: Mark W. Carbone  
Firm: Carbone & Blaydes, P.L.L.C.  
Address: 2442 Kanawha Blvd., East  
Charleston, WV 25311  
Telephone: (304) 342-3650

Representing:  
☒ Plaintiff ☐ Defendant  
☐ Cross-Complainant ☐ Cross-Defendant

Dated: November 17, 2017

  
Signature

☐ Proceeding Without an Attorney

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

DANIEL BUSH,

Plaintiff,

v.

GREENWOOD, INC., and  
KENNY STEEN, an individual,

Defendants.

Civil Action No.

FILED  
2017 NOV 17 PM 1:55  
CATHY S. GATSON, CLERK  
KANAWHA COUNTY CIRCUIT COURT  
17-C-1586  
Bloom

COMPLAINT

I. JURISDICTION AND VENUE

1. Plaintiff, Daniel Bush, a former employee of Defendant GreenWood Inc., brings this action to redress the wrongs done to him by way of Defendants engaging in age discrimination.
2. Jurisdiction of this Court is invoked pursuant to the West Virginia Code, §55-2-1, et seq.
3. Venue is appropriate pursuant to West Virginia Code, §56-1-1.

II. PLAINTIFF AND DEFENDANTS

4. Daniel Bush is an individual residing in Jackson County at 2799 Little Creek Road, Leroy, West Virginia, 25252, and over the age of forty (40).
5. Defendant GreenWood, Inc., upon information and belief, is a South Carolina corporation with its corporate headquarters located at 160 Milestone Way, Greenville, South Carolina, with its West Virginia operation located at 437 MacCorkle Avenue, S.W., South Charleston, West Virginia, 25303.
6. Defendant Kenny Steen, upon information and belief, is a resident of Kanawha

County, West Virginia.

### **III. FACTUAL BACKGROUND**

7. Plaintiff incorporates by reference herein the allegations set forth in ¶1-6 above.

8. Plaintiff was an employee of the Defendant GreenWood, Inc. The Plaintiff was employed as an electrician.

9. The Plaintiff worked out of Defendant GreenWood Inc.'s South Charleston, West Virginia, location.

10. On or about May 15, 2017, the Plaintiff was laid off from his employment with Defendant GreenWood, Inc. for lack of work.

11. The Plaintiff was over the age of forty (40) when laid off by Defendant GreenWood, Inc.

12. Defendant Kenny Steen is the Area Project Manager for Defendant's GreenWood Inc.'s South Charleston, West Virginia, operations and was the Plaintiff's ultimate Supervisor. In addition, upon information and belief, Defendant Kenny Steen made the decision to lay off the Plaintiff.

13. At the time that the Plaintiff was laid off, the Defendants retained the employees under the age of forty (40) with less experience than the Plaintiff.

14. At the time of the lay off the Plaintiff was told that when work improved he would be called back. Upon information and belief, the Defendants have been advertising for electricians at the South Charleston facility. The Plaintiff has not been called back to employment.

### **IV. AGE DISCRIMINATION**

15. Plaintiff incorporates by reference herein the allegations set forth in ¶1-14 above.

16. The Plaintiff is a member of a protected class, over the age of forty (40) years.

17. The Defendants, on or about May 15, 2017, laid off the Plaintiff.

18. The Defendants lay off was based on the Plaintiff's age and not loss of work, since the Defendants retain employees that were under the age of forty (40) years and with less work experience.

19. Plaintiff has suffered extreme financial loss proximately caused by the actions of the Defendants.

20. By the actions above, the Defendants engaged in age discrimination against the Plaintiff.

**PRAY FOR RELIEF**

WHEREFORE, Plaintiff respectfully prays:

1. That Plaintiff be awarded back pay and front pay;
2. That Plaintiff be awarded pre-judgment interest as allowed by law;
3. Grant punitive damages to Plaintiff; and,
4. That Plaintiff be awarded reasonable attorney fees and costs incurred in prosecuting this action; and,
5. That this Court grant Plaintiff any further relief it deems appropriate.

**JURY DEMAND**

Plaintiff demands a trial by jury on all issues so triable.

DANIEL BUSH  
By Counsel



Mark W. Carbone (WV State Bar #6291)  
CARBONE & BLAYDES, P.L.L.C.  
2442 Kanawha Boulevard, East  
Charleston, WV 25311  
(304) 342-3650 telephone  
(304) 342-3651 facsimile  
[wvjustice@aol.com](mailto:wvjustice@aol.com)  
*Counsel for Plaintiff*





Chase Tower, 17th Floor  
P.O. Box 1588  
Charleston, WV 25326-1588  
(304) 353-8000 (304) 353-8180 Fax  
www.stepto-johnson.com

Writer's Contact Information

(304) 353-8116  
Bryan.Cokeley@Stepto-Johnson.com

December 8, 2017

Cathy S. Gatson, Clerk  
Circuit Court of Kanawha County  
Kanawha County Judicial Annex  
111 Court Street  
Charleston, WV 25301

Re: *Daniel Bush v. Greenwood, Inc. and Kenny Steen, an individual*,  
Civil Action No.: 17-C-1586

Dear Ms. Gatson:

Enclosed please find the original of a **Notice of Bona Fide Defense of Kenny Steen** for filing in the above-referenced matter.

Please mark this document "filed" and place it in the appropriate Court file. A copy of this has been served upon counsel of record.

Thank you for your assistance in this matter.

With warmest regards,

A handwritten signature in black ink that reads 'Bryan R. Cokeley' followed by a stylized flourish or initials 'pn'.

Bryan R. Cokeley

BRC/pjc  
Enclosure  
cc (w/enc.): Mark W. Carbone, Esquire

**IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA**

**DANIEL BUSH,**

**Plaintiff,**

**V.**

**CIVIL ACTION NO.: 17-C-1586**

**GREENWOOD, INC., and  
KENNY STEEN, an individual,**

**Defendants.**

**NOTICE OF BONA FIDE DEFENSE OF KENNY STEEN**

Please take notice that Defendant Kenny Steen has a bona fide defense, including matters covered by Rule 12(b) of the West Virginia Rules of Civil Procedure, to the Complaint served upon him in this action and that, in accordance with Rule 12(a) of said Rules, his response to said Complaint will be served within thirty (30) days after the date of service.

Dated this 8<sup>th</sup> day of December, 2017.

**KENNY STEEN,**

**By Counsel,**



Bryan R. Cokeley, Esq. (WV Bar No. 774)

Mark C. Dean, Esq. (WV Bar No. 12017)

STEPTOE & JOHNSON PLLC

P.O. Box 1588

Charleston, WV 25326-1588

Telephone (304) 353-8000

Facsimile (304) 353-8180

Jan.Fox@Steptoe-Johnson.com

Mark.Dean@Steptoe-Johnson.com

**IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA**

**DANIEL BUSH,**

**Plaintiff,**

**V.**

**CIVIL ACTION NO.: 17-C-1586**

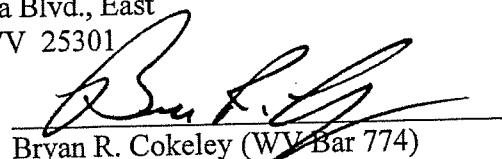
**GREENWOOD, INC., and  
KENNY STEEN, an individual,**

**Defendants.**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 8<sup>th</sup> day of December, 2017 I served the foregoing "Notice of Bona Fide Defense of Kenny Steen" with the Clerk of the Court and delivered same to all parties by depositing a true copy thereof in the United States mail, postage prepaid, addressed as follows:

Mark W. Carbone  
Carbone & Blaydes, P.L.L.C.  
2442 Kanawha Blvd., East  
Charleston, WV 25301

  
Bryan R. Cokeley (WV Bar 774)  
Mark C. Dean (WV Bar #12017)